

(c) CONFORMING AMENDMENT.—Section 103(f) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2613(f)) is amended, in the subsection heading, by striking “ACTIVE DUTY” each place it appears and inserting “COVERED ACTIVE DUTY”.

#### SEC. 12. DEFINITION OF COVERED SERVICEMEMBER.

Paragraph (15) of section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611) (as redesignated by section 11) is amended to read as follows:

“(15) COVERED SERVICEMEMBER.—The term ‘covered servicemember’ means—

“(A) a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or

“(B) a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.”.

#### SEC. 13. DEFINITIONS OF SERIOUS INJURY OR ILLNESS; VETERAN.

Section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611) is further amended by striking paragraph (18) (as redesignated by section 11) and inserting the following:

“(18) SERIOUS INJURY OR ILLNESS.—The term ‘serious injury or illness’—

“(A) in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; and

“(B) in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period described in paragraph (15)(B), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

“(19) VETERAN.—The term ‘veteran’ has the meaning given the term in section 101 of title 38, United States Code.”.

#### SEC. 14. TECHNICAL AMENDMENT.

Section 102(e)(2)(A) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(e)(2)(A)) is amended by striking “or parent” and inserting “parent, or next of kin”.

#### SEC. 15. REGULATIONS.

The Secretary of Labor, after consultation with the Secretary of Defense and Secretary of Veterans Affairs, shall prescribe such regulations as are necessary to carry out the amendments made by this title.

#### Subtitle B—Leave for Civil Service Employees

#### SEC. 21. EXIGENCY LEAVE FOR SERVICEMEMBERS ON COVERED ACTIVE DUTY.

(a) DEFINITION.—Section 6381(7) of title 5, United States Code, is amended to read as follows:

“(7) the term ‘covered active duty’ means—  
“(A) in the case of a member of a regular component of the Armed Forces, duty during

the deployment of the member with the Armed Forces to a foreign country; and

“(B) in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code;”.

(b) LEAVE.—Section 6382 of title 5, United States Code, is amended—

(1) in subsection (a)(1), by adding at the end the following:

“(E) Because of any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces;”.

(2) in subsection (b)(1), by inserting after the second sentence the following: “Subject to subsection (e)(3) and section 6383(f), leave under subsection (a)(1)(E) may be taken intermittently or on a reduced leave schedule.”;

(3) in subsection (d), by striking “or (D)” and inserting “(D), or (E)”; and

(4) in subsection (e), by adding at the end the following:

“(3) In any case in which the necessity for leave under subsection (a)(1)(E) is foreseeable, whether because the spouse, or a son, daughter, or parent, of the employee is on covered active duty, or because of notification of an impending call or order to covered active duty, the employee shall provide such notice to the employer as is reasonable and practicable.”.

(c) CERTIFICATION.—Section 6383(f) of title 5, United States Code, is amended by striking “section 6382(a)(3)” and inserting “paragraph (1)(E) or (3) of section 6382(a)”.

#### SEC. 22. DEFINITION OF COVERED SERVICEMEMBER.

Paragraph (8) of section 6381 of title 5, United States Code, is amended to read as follows:

“(8) the term ‘covered servicemember’ means—

“(A) a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or

“(B) a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.”.

#### SEC. 23. DEFINITIONS OF SERIOUS INJURY OR ILLNESS; VETERAN.

Section 6381 of title 5, United States Code, is further amended—

(1) in paragraph (10), by striking “and” at the end; and

(2) by striking paragraph (11) and inserting the following:

“(11) the term ‘serious injury or illness’—

“(A) in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; and

“(B) in the case of a veteran who was a member of the Armed Forces (including a

member of the National Guard or Reserves) at any time during a period described in paragraph (8)(B), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran; and

“(12) the term ‘veteran’ has the meaning given the term in section 101 of title 38, United States Code.”.

#### SEC. 24. TECHNICAL AMENDMENT.

Section 6382(e)(2)(A) of title 5, United States Code, is amended by striking “or parent” and inserting “parent, or next of kin”.

#### SEC. 25. REGULATIONS.

The Office of Personnel Management, after consultation with the Secretary of Defense and Secretary of Veterans Affairs, shall prescribe such regulations as are necessary to carry out the amendments made by this title.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Wednesday, July 22, 2009, at 10 a.m. in room 325 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 22, 2009, at 10 a.m. to conduct a hearing on “The Semiannual Monetary Policy Report to the Congress.”

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 22, 2009.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Wednesday, July 22, 2009, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Wednesday, 22, 2009, at 10 a.m. in room 406 of the Dirksen Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, July 22, 2009, at 9 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, July 22, 2009, at 2:30 p.m. to hold a hearing entitled "The Case for Reform: Foreign Aid and Development."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor and Pensions be authorized to meet during the session of the Senate on Wednesday, July 22, 2009, after the 12 p.m. vote in the President's room.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 22, 2009, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Promoting Job Creation and Foreign Investment in the United States: An Assessment of the EB-5 Regional Center Program."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON VETERANS' AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Wednesday, July 22, 2009, at 10 a.m., in room 418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, AND INSURANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Consumer Protection, Product Safety, and Insurance of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Wednesday, July 22, 2009, at 10 a.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON CRIME AND DRUGS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Crime and Drugs, be authorized to meet during the session of

the Senate on July 22, 2009, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Metal Theft: Public Hazard, Law Enforcement Challenge."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON NATIONAL PARKS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on National Parks, be authorized to meet during the session of the Senate on Wednesday, July 22, 2009, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### PRIVILEGES OF THE FLOOR

Mr. KAUFMAN. Mr. President, on behalf of Senator MERKLEY I ask unanimous consent that Amelia Bell, an intern in his office, be granted the privilege of the floor for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KAUFMAN. Mr. President, I ask unanimous consent that Bill Curlin, an Air Force Fellow in Senator DORGAN's office, be granted the privilege of the floor during debate on the fiscal year 2010 Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I ask unanimous consent that MAJ Paul Taylor be granted the privilege of the floor for the remainder of this legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that floor privileges for the remainder of this session be granted for an intern in my office, Lindy Brownback.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I ask unanimous consent that Juliet Beyler, a congressional fellow in the office of Senator GREGG, be allowed the privilege of the floor during consideration of S. 1390.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I ask unanimous consent that MAJ Jim DeLapp, a military fellow in the office of Senator BEGICH, be granted the privilege of the floor for the duration of Senate consideration of S. 1390.

The PRESIDING OFFICER. Without objection, it is so ordered.

### HEALTH CARE REFORM

Mr. DODD. Mr. President, I rise on this early evening in July to spend a few minutes to talk about health care. I know it has obviously been a subject of great interest over the last number of days, having been asked to fill in for my dear friend, Senator TED KENNEDY, the chairman of the Health, Education,

Labor, and Pensions Committee, who as we all know is struggling with his own health issues.

I was asked to fill in for him to mark up the HELP Committee's legislation on health care, and I was fortunate to have as my allies in that effort some remarkable Members of this body—both Democrats and Republicans—who, we are told, spent as long a time, maybe longer than for any other mark-up in the history of that committee and one of the longest in the history of this body. There were some 23 sessions over 13 days, covering nearly 300 amendments that were offered on behalf of the 23 Members of the Senate—almost a quarter of this body—serving on that committee.

After that lengthy period of time, we drafted a bipartisan bill. It did not end up being a bipartisan vote. It was a partisan vote coming out of committee, regrettably. But that doesn't mean it will end up that way. I have often been involved in legislative efforts where the committee action would have a partisan conclusion, only to find that after further work, those efforts can attract a broad base of support and develop the kind of broad-based backing that is, I think, an important feature of good legislation.

So while I regret we didn't have any Republican votes in that committee, I am deeply grateful to my Democratic colleagues for their efforts—and also to my Republican colleagues for their efforts—which I will talk about. I intend, in the coming days, to talk about this issue through the remaining weeks we are in session—and possibly even beyond that, if we stay in session in August to work on this issue.

This is not any ordinary issue or ordinary time. I have been around long enough now to have witnessed the debates on this issue going back 30 years. Every single Congress and every single administration predating my arrival here has grappled with this issue—Republicans and Democrats alike. Since the days of Harry Truman in the 1940s, literally every administration has tried to come up with an idea to reform our health care system.

In years past, those efforts were talked about in terms of describing the present condition of health care as being an unacceptable situation; that it was wrong, unethical, immoral that we weren't serving people who should be served. The debate has now changed because it is no longer just unacceptable—which has always been the case—but we are now in a situation where the present conditions are unsustainable. Yesterday and again this morning the Chairman of the Federal Reserve Board, Ben Bernanke, testifying on monetary policy, was asked the question in both the other body as well as in the Banking Committee, which I chair, how important health care was as a matter of economic recovery. In both forums, in different language, the Chairman of the Federal Reserve—while not getting into the details of